

REMARKS

Applicants thank the Examiner for the very thorough consideration given the present application. Claims 1, 2, and 26-34 are now present in this application, of which claim 1 is independent. By this amendment, claims 35-42 have been cancelled, without prejudice or disclaimer, and claim 28 has been amended.

Reconsideration of this application, as amended, is respectfully requested.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

This Amendment was not presented at an earlier date because Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

Restriction Requirement

The Examiner has made a Restriction Requirement, and has withdrawn claims 35-42 from further consideration based on original presentation. By this Amendment, Applicants have cancelled withdrawn claims 35-42. Applicants reserve the right to file a divisional application directed to claims 35-42 at a later date if so desired.

Rejection Under 35 U.S.C. §§ 102 and 103

Claim 28 stands rejected under 35 U.S.C. § 102(b) as being anticipated by Chabanne; claims 29-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Chabanne in view of France; claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Henderson in view of either Chabanne or JP '995; and claims 29-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Henderson in view of either Chabanne or JP '995, and in further view of France. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

At the outset, Applicants note that section 1 of the Office Action includes an ambiguity in that claim 1 has been indicated as being rejected, yet the body of the Office Action refers to claim 28. To clarify this issue, Applicants' representative contacted the Examiner of record to confirm that this was a typographical error and that only claim 28 is rejected under 35 U.S.C. § 102(b). The Examiner acknowledged that claim 1 remains allowable.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that claims 28-34 have been amended to depend from allowed claim 1, thus rendering these rejections under 35 U.S.C. §§ 102 and 103 moot. Accordingly, reconsideration and withdrawal of these rejections are respectfully requested.

Allowable Subject Matter

The Examiner states that claims 1 and 2 are allowed.

Applicants thank the Examiner for the early indication of allowable subject matter in this application. As noted above, claims 28-34 have been amended to depend from independent claim 1 and therefore, claims 28-34 should also be allowable. In addition, claims 26 and 27 depended from allowable claim 1 and therefore, claims 26 and 27 should also be allowable.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: May 5, 2009

Respectfully submitted,

By 

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